

**REMARKS**

Claims 1-98 are pending in the application.

Claims 1-98 stand rejected.

Claims 23, 37, 46, 55, 65, 73, 81 and 89 have been amended.

Claims 1-22 and 97-98 have been cancelled.

**Formal Matters**

Applicant is unsure as to the meaning of the citations (e.g., in the rejection of claim 1 under 35 U.S.C. §102(e)), which appear as, for example, “1\*” and so on. Applicant is unfamiliar with the notation of a numeral and an asterisk, and so, kindly requests explanation of such citations. Applicant has nonetheless endeavored to respond to the Office Action in a meaningful and concise manner.

**Rejection of Claims under 35 U.S.C. §101**

Claims 1-98 stand rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. In light of the cancellation of claims and amendments presented herein, Applicant respectfully submits that this rejection is overcome.

With regard to claims 1-22 and 97-98, Applicant respectfully submits that the rejection is moot, as these claims have been cancelled.

Applicant respectfully submits that claims 23-36 and 65-72, even prior to amendment, recited a process and so were directed to statutory subject matter. Applicant respectfully notes that even a process having a single step remains a process, notwithstanding any result of that

process. However, to more clearly define the claimed invention, Applicant has amended claims 23 and 65 to convey the actions taken as part of the processes claimed thereby. Applicants respectfully submit that claims 23-36 and 65-72 are thus directed to statutory subject matter, and the present rejection overcome thereby.

Applicant respectfully submits that claims 37-45, 46-54, 73-80 and 81-88, as amended, recite a computer readable storage medium, and so are directed to statutory subject matter. Applicants respectfully submit, therefore, that the present rejection overcome thereby.

Applicant respectfully submits that claims 55-64 and 89-96, even prior to amendment, recited a mechanism and so were directed to statutory subject matter. Applicant respectfully notes that even a machine having a single element remains a machine, and further point to 35 U.S.C. § 112, sixth paragraph, as basis for the statutory nature of these claims. However, to more clearly define the claimed invention, Applicant has amended claims 55 and 89 to convey the mechanisms included as part of the mechanism claimed thereby. Applicants respectfully submit that claims 55-64 and 89-96 are thus directed to statutory subject matter, and the present rejection overcome thereby.

In light of the foregoing, Applicants respectfully submit that claims 23, 37, 46, 55, 65, 73, 81 and 89, and all claims dependent thereon, have been demonstrated to be statutory, and so respectfully request that the rejection thereof under 35 U.S.C. § 101 be withdrawn.

*Rejection of Claims under 35 U.S.C. §112*

Claims 23-36, 55-72 and 89-96 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

Applicant respectfully submits that claims 23-36, 55-64, 65-72 and 89-96, even prior to amendment, recited limitations that were reflective of their respective preambles, for at least the reason that the formation and receipt of a message are certainly a potential actions in a process of inter-module communication, that a computer system might be programmed to include computer code that performs such formation and receipt as part of inter-module communication, and that an apparatus that includes means for performing such formation and receipt actions as part of providing inter-module communication. In the latter case, Applicant respectfully notes that 35 U.S.C. § 112, second paragraph, by its very terms, provides a basis for the statutory nature of claims 55-64 and 89-96.

However, to more clearly define the claimed invention, Applicant has amended claims 23, 55, 65 and 89 to convey the processes and mechanisms claimed thereby. Applicants respectfully submit that claims 23-36, 55-64, 65-72 and 89-96 thus particularly point out and claim their intended subject matter, and so that the present rejection is overcome thereby.

*Rejection of Claims under 35 U.S.C. §102*

Claims 1-98 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Mathon, et al., U.S. Patent Publication No. 2001/0042131 (Mathon).

While not conceding that the cited reference qualifies as prior art, but instead to expedite prosecution, Applicant has chosen to respectfully disagree and traverse the rejection as follows. Applicant reserves the right, for example, in a continuing application, to establish that the cited reference, or other references cited now or hereafter, do not qualify as prior art as to an invention embodiment previously, currently, or subsequently claimed.

Independent claim 23, as amended, is representative of amended independent claims 37, 46, 55, 65, 73, 81 and 89, and now recites:

23. A method of inter-module communication comprising:  
forming a message, wherein  
said forming comprises  
    inserting customer relations management system information and other  
    customer relations management system information into said  
    message, and  
    configuring said message to be pushed from a customer relations  
    management system by encoding at least a portion of said message  
    in a markup language,  
said customer relations management system information comprises at least one of  
    agent information and work item information,  
said agent information comprises information regarding an agent,  
said work item information comprises information regarding a work item,  
said other customer relations management system information is other than said  
    agent information and said work item information, and  
said other customer relations management system information comprises at least  
    one of a command, a request and a notification.

And

65. A method comprising:  
receiving a message, wherein  
    at least a portion of said message is encoded in a markup language,  
    said receiving comprises

receiving said message from a customer relations management system upon said message being pushed from said customer relations management system,

extracting customer relations management system information and other customer relations management system information from said message, and

decoding said at least said portion of said message in said markup language,

said message is configured to provide inter-module communications by virtue of said message comprising said customer relations management system information and said other customer relations management system information,

said customer relations management system information comprising at least one of agent information and work item information, said agent information comprising information regarding an agent, said work item information comprising information regarding a work item, said other customer relations management system information being other than said agent information and said work item information, and said other customer relations management system information comprising at least one of a command, a request and a notification.

Support for the amendments presented herein can still be found at least at p. 21, ll. 24-29; p. 23, ll.1-9; p. 40, ll. 15-23; and Figs. 1A-1K, 2A, 2B and 3. It will be appreciated that certain of the amendments are editorial in nature, and merely reflect changes in wording and the like, rather than changes in substance.

Applicant further respectfully submits that “[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegall Bros. V. Union Oil Co. of California*, 814 F.2d 628, 631, 2

USPQ2d 1051, 1053 (Fed. Cir. 1987). Applicant respectfully submits that the Office Action fails to demonstrate that the reference shows, teaches or even suggests several of the foregoing limitations, using claim 23 as an example. To wit:

“...

said forming comprises

inserting customer relations management system information and other customer relations management system information into said message, and

configuring said message to be pushed from a customer relations management system by encoding at least a portion of said message in a markup language,

...”

And

“...

at least a portion of said message is encoded in a markup language,  
said receiving comprises

receiving said message from a customer relations management system upon said message being pushed from said customer relations management system,

extracting customer relations management system information and other customer relations management system information from said message, and

decoding said at least said portion of said message in said markup language,

said message is configured to provide inter-module communications ...”

Mathon, in the cited portions or elsewhere, insofar as Applicants are able to discern, provide no teaching as to receiving a message from a customer relations management system upon the message being pushed from the customer relations management system. No technology even comparable to push technology, let alone the claimed push technology (in which an agent is the recipient of the information), is shown, taught or even suggested by Mathon. (Mathon, paras. 10-15, 58 and 70) For example, the following parallel is drawn in the Office Action: “... work [item] information is the price/purchase tracking information ....” (Office Action, p. 4) As is demonstrated in the dependent claims and the Specification, the claimed work item information is information regarding a work item, which is, in turn, an event upon which an agent is to act. No such concepts can be found in Mathon.

Another example is the correlation between the customer/business and the claimed agent (a point which Applicant does not concede). First, the agent is an agent of the business servicing the event generated by a customer of the business. Thus, the customer cannot be an agent. Conversely, nowhere is there taught in Mathon that information regarding an agent of the business is used, generated, maintained, etc. – and that, assuming that the agent and the business are even comparable, which Applicant maintains they are not. Lastly, both the customer and the business cannot be correlated to any one claim element, as this would be logically inconsistent.

In this vein, the Office Action also conflates the information generated and used in the claimed message (which concerns customer relations management system information and other customer relations management system information) with networking information (e.g., source, destination, and routing instructions). (Office Action, p4) The claimed customer relations management system information, as is demonstrated by the dependent claims and corresponding description in the Specification, is information regarding work items that an agent can act upon

(e.g., contact by a customer that is passed to the agent by the customer relations management system via customer relations management system information and other customer relations management system information), which then allows the agent to address the needs of the customer making such contact. Networking information, on the other hand, simply connotes information that is used to route a packet, manage network traffic and so on. As is evident, the fundamental type of information dealt with by the claimed invention and Mathon differ markedly.

Furthermore, the Office Action fails to appreciate that the message is configured to be pushed from a customer relations management system. The Office Action cites paras. 12 and 13 of Mathon with regard to the erstwhile limitation “...said message is configured to be pushed from a customer relations management system by virtue of at least a portion of said message being encoded in a markup language ...” which read:

“[0012] The present invention generates multiple messages and transmits the messages along separate communication backbones. Using the separate backbones, the present invention is able to adapt to unexpectedly high traffic volumes, or outages, on one of the communication backbones. Messages are formed by packaging the information generated by B2B application programs in an extensible markup language (XML) envelope that incorporates the XML structure for routing and enhanced security. XML is a flexible syntax for describing messages so that trading partners may understand each other's data. The XML may also spawn the appropriate B2B application program upon receipt.

[0013] The present invention further employs a single point of control to ensure that information is not lost in transit and that the information is delivered to the intended trading partner in a timely manner. The invention delivers messages even if a recipient is temporarily off-line. Advantageously, the present invention eliminates the requirement for legacy EDI/B2B application programs to track and verify delivery of the information to the recipient. These features are enabled by archiving messages at an intermediate point in the transmission path using a unique archival system and method. More specifically, the archival system and method provides a distributed archive that stores messages to guarantee message delivery to the destination, assist in message recovery and retains statistical information regarding the routing and delivery of the messages for subsequent access. The combination of the envelope and archives also provide the trading partners the ability to search, locate and otherwise mine data relating to messages exchanged over an extended time period." (Mathon, paras. 12-13)

Nowhere in the preceding paragraphs is there shown, taught or even suggested that a message is configured to be pushed from a customer relations management system by virtue of at least a portion of said message being encoded in a markup language. This language remains in the independent claims. For example:

"...

configuring said message to be pushed from a customer relations management system by encoding at least a portion of said message in a markup language,

...”

The claimed ability to push the message from a customer relations management system to an agent (based on the message being at least partially encoded in a markup language) allows the agent to use a generic user interface (e.g., a web browser), and not application specific software (as, were such features taught and/or implemented therein (which they are not), in a system according to Mathon).

The Office Action also states that “... xml is a markup language that the message is formatted in. The EDI application is the customer relations management system that delivers these messages ... .” (Office Action, p. 5) First, no distinction is made between the customer and the business by this statement. More importantly, no recognition of or distinction between pulling information (making a request that is then acted upon) and pushing information (providing information upon its availability, or in some other asynchronous manner) is addressed, either by the Office Action or Mathon. As to Mathon’s EDI application being somehow comparable to the claimed customer relations management system simply as a result of its delivering messages, Applicant notes that many systems deliver messages, but none (of which Applicant is aware) asynchronously push a message from a customer relations management system, that in doing so, allows an agent to receive the message and act on it, using a generic user interface (e.g., a web browser).

Applicant therefore respectfully submits that the Office Action fails in its burden of demonstrating that Mathon does indeed teach each and every limitation of the claimed invention, an objective which Applicant maintains Mathon fails to achieve. This comes as no surprise, in fact, because Mathis is not directed to the claimed inter-module communication, method

therefor, computer system configured thusly, computer program product, inter-module interface definition and apparatus, given that Mathon is directed to:

“... the efficient and secure transfer of information over a distributed computer network such as the Internet. The system provides parallel communication paths between the source and destination. Each path includes a dedicated route point to eliminate intermediate ISPS. Each source is associated with an archive and each route point is coupled to the archive. Upon receipt of the message at a route point the message is copied to the archive and then transmitted to the destination. Message archival and storage of transmission-related information enables data-mining features not presently available using email or a point-and-click browser. Since two messages are transmitted from the source to the common destination across separate and distinct communication paths, message latency is improved and the chance of lost messages is reduced or even eliminated. A network controller monitors transmission results and dynamically re-configures the network to balance loading across the route points and to avoid failures or other bottlenecks in the system.” (Mathon, Abstract)

As will be appreciated, Mathon fails to teach the limitations of the independent claims, as Mathon is directed to the efficient and secure transfer of information over a distributed computer network such as the Internet. The information being communicated, its constituent parts, the purpose and mechanisms of its transmission and other features of the claimed invention are simply not taught by Mathon. For example, in the manner previously discussed, Mathon is

completely oblivious to the forming or reception (or the other embodiments claimed by the other independent claimed) of a message that comprises customer relations management system information and other customer relations management system information, because Mathon is not concerned with the type of data being conveyed, merely that the data is conveyed efficiently and securely.

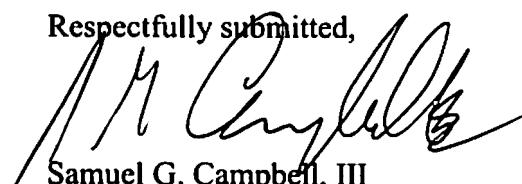
As noted, Mathon not only fails to teach such a message, Mathon fails to teach the pushing of the message from a customer relations management system, as a result of at least a portion of the message being encoded in a markup language. Once again, being directed to the efficient and secure transfer of information, and not with a customer relations management system, Mathon would not be expected to concern itself with such technologies.

Applicants respectfully submit, therefore, that independent claims 23, 37, 46, 55, 65, 73, 81 and 89 are allowable over Mathon, and so Applicant respectfully urge that the §102 rejection of claims 23, 37, 46, 55, 65, 73, 81 and 89 be withdrawn. Applicants further respectfully submit that dependent claims 24-36, 38-45, 47-54, 56-64, 66-72, 74-80, 92-88 and 90-96 are allowable as depending upon allowable base claims in addition to being allowable for various other reasons.

**CONCLUSION**

In view of the amendments and remarks set forth herein, the application is believed to be in condition for allowance and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the Examiner is invited to telephone the undersigned at 512-439-5084.

Respectfully submitted,



Samuel G. Campbell, III  
Attorney for Applicant  
Reg. No. 42,381  
Telephone: (512) 439-5084  
Facsimile: (512) 439-5099